

Amendments to the Drawings:

The attached sheet of drawings includes changes to Figs. 1 and 1A. This sheet, which includes Figs. 1 and 1A, replaces the original sheet including Figs. 1 and 1A. In Figure 1, we are replacing cap 52. In Fig. 1A we are replacing cap 52 and changing pipe 34 to one piece construction.

Attachment: Replacement Sheet
 Annotated Sheet Showing Changes

REMARKS/ARGUMENTS

Claim 2 is pending in the present application. Claim 2 has been cancelled and new claim 5 has been added. The drawings were objected to because reference numeral 31 designates different elements in Fig. 3. The amendment filed July 6, 2004 is objected to under 35 U.S.C. § 132(a) because it introduces new matter into the disclosure. The amendment filed June 27, 2005 was objected to under 35 U.S.C. § 132(a) because it introduces new matter into the disclosure. Claim 2 is rejected under 35 U.S.C. § 112 first paragraph as containing subject matter which is not described in the specification in such a way to reasonably convey to one skilled in the role of an art that the Applicant had possession of the claimed invention. Claim 2 is rejected under 35 U.S.C. § 112 second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Claim 2 is rejected under 35 U.S.C. § 102 as being anticipated by Minnick (U.S. Patent No. 6,484,331). Claim 2 is rejected under 35 U.S.C. § 102(b) as being anticipated by Spahn (U.S. Patent No. 1,692,710). Claim 2 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Oropallo in view of Minnick. Applicant respectfully requests the Examiner reconsider all objections and traverses all rejections.

The drawings were objected to because reference numeral 31 designates different elements in Fig. 3. Applicant respectfully requests the Examiner reconsider his position. Specifically in response to an Office Action dated July 2, 2004, an amendment to the drawings was provided by the Applicant. In a final office action dated 7-23-2004 these drawings were accepted by an Examiner. (See attached office action.) This accepted amended

drawing addresses the Examiner's concern and thus Applicant believes this objection is overcome.

The Examiner has objected to the Amendment filed on July 6, 2004 as introducing new matter. Additionally, the Examiner has objected to the Amendment filed June 27, 2005 as introducing new matter into the disclosure. In response, Applicant has amended the specification to cancel matter added in these amendments. Thus Applicant respectfully requests the Examiner withdraw both objections.

Claim 2 is rejected under 35 U.S.C. § 112 first paragraph and second paragraph. Applicant has cancelled claim 2 and thus both these rejections are considered moot. Applicant has added new claim 5 that gains proper antecedent basis within the specification. The claim requires a pipe 34. (Page 4, line 22). New claim 5 also requires a cap having an outer face which has a cylindrical body which has interior threads. This limitation gains its antecedent basis from page 4, lines 7 through 10 that state "a cap 52 has an outer face 54 that has a cylindrical body 60 which has interior threads 62".

New claim 5 additionally requires said cap 52 having an annular flange that extends radially outwardly from an opened end of the cylindrical body. This limitation gains its antecedent basis from page 4, lines 12 through 14 that states "the cap 52 also has an annular flange 64 that extends radially outwardly from the opened end of the cylindrical body 60".

Claim 5 next requires a thin sealing membrane affixed to the face to seal an aperture in the cap. This gains its antecedent basis from page 4, line 14 through 18 that states "a thin sealing membrane 66 is affixed to the face 54 (Fig. 2) of cap 52 so as to seal the aperture in the cap". The final limitation of new claim 5 requires "wherein the cap screws onto

threads on the pipe". This gains its antecedent basis from page 4, lines 19-28 that state: "This embodiment shows a cap 52 that screws onto threads 31 that are on the outside of pipe 34". Thus Applicant asserts that new claim 5 gains proper antecedent basis in the specification and contains no 35 U.S.C. § 112 type issues.

Claim 2 was also rejected under 35 U.S.C. § 102 as being anticipated by Minnick and Spahn. Additionally, claim 2 is rejected under 35 U.S.C. § 103 as being unpatentable in view of Minnick and Oropallo. Applicant asserts that new claim 5 is patentable over all three of these references because new claim 5 requires "said cap having an annular flange that extends radially outwardly from an opened end of the cylindrical body" used in combination with "a thin sealing membrane affixed to the face to seal an aperture in the cap". Applicant asserts that none of these references show this combination and thus respectfully requests allowance of this new claim.

CONCLUSION

If any issues remain that may be expeditiously addressed in a telephone interview, the Examiner is encouraged to telephone the undersigned at 515/558-0200.

All fees or extensions of time believed to be due in connection with this response are attached hereto; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account 50-2098.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'T. Zarley', with a stylized flourish extending from the end.

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